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From: Michael M. Ballard, Esq. - WORKMAN | NYDEGGER

Date: April 6, 2005

Our File: 6300.96.1

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**CONFIDENTIAL**

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| <b>TRANSMITTAL LETTER</b><br><b>(General - Patent Pending)</b> | Docket No.<br><b>6300.96.1</b> |
|--|--------------------------------|

In Re Application Of: **Frazier et al.**

|                                      |                                      |                                  |                               |                               |                                 |
|--------------------------------------|--------------------------------------|----------------------------------|-------------------------------|-------------------------------|---------------------------------|
| Application No.<br><b>09/787,498</b> | Filing Date<br><b>March 16, 2001</b> | Examiner<br><b>Kathryn Odlan</b> | Customer No.<br><b>022913</b> | Group Art Unit<br><b>3763</b> | Confirmation No.<br><b>3953</b> |
|--------------------------------------|--------------------------------------|----------------------------------|-------------------------------|-------------------------------|---------------------------------|

Title: **SURFACE MICROMACHINED MICRONEEDLES****COMMISSIONER FOR PATENTS:**

Transmitted herewith is:

**Request for Continued Examination (1 page)**  
**Amendment and Response to Final Office Action (19 pages)**  
**Terminal Disclaimer with attached Exhibits A and B (USPN 5,871,158) (13 pages)**  
**Terminal Disclaimer with attached Exhibits A and B (USPN 5,876,582) (13 pages)**  
**Memorandum (confirming authorization) (1 page)**  
**Petition for One-Month Extension of Time (1 page)**

in the above identified application.

No additional fee is required.  
 A check in the amount of \_\_\_\_\_ is attached.  
 The Director is hereby authorized to charge and credit Deposit Account No. **23-3178** as described below.  
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Signature

Dated: **April 6, 2005**

**Michael M. Ballard**  
**Attorney for Applicants**  
**Registration No. 54,978**

**Customer No.: 022913**

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PTO/SB/30 (08-03)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
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|                               |                |
|-------------------------------|----------------|
| <i>Application Number</i>     | 09/787,498     |
| <i>Filing Date</i>            | March 16, 2001 |
| <i>First Named Inventor</i>   | Frazier        |
| <i>Art Unit</i>               | 3743           |
| <i>Examiner Name</i>          | Kathryn Odland |
| <i>Attorney Docket Number</i> | 6300.96.1      |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)

ii.  Affidavit(s)/Declaration(s)      iv.  Other \_\_\_\_\_

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-3178

i.  RCE fee required under 37 CFR 1.17(e)

ii.  Extension of time fee (37 CFR 1.136 and 1.17)

iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                     |   |                                     |              |
|---------------------|---|-------------------------------------|--------------|
| Name (Print / Type) | Michael M. Ballard  | Registration No. (Attorney / Agent) | 54,978       |
| Signature           |  | Date                                | Apr 16, 2005 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

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|                     |   |
|---------------------|---|
| Name (Print / Type) | Michael M. Ballard  |
| Signature           |  |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.